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Duane Morris®

FIRM and AFFILIATE OFFICES

EVE I. KLEIN
DIRECT DIAL: +1 212 692 1065
PERSONAL FAX: +1 212 202 7559
E-MAIL: EIKlein@duanemorris.com

www.duanemorris.com

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January 11, 2017

VIA ECF AND REGULAR MAIL

The Honorable Kiyo A. Matsumoto
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Charles, et al., v. Opinion Access Corp. et. al.; No. 16-cv-06868 (KAM)(JO)

Dear Judge Matsumoto:

We represent the Defendants, Opinion Access Corp. ("OAC") and James Hoffman, in the above-referenced matter. This letter is submitted in opposition to Plaintiffs' January 6, 2017 letter requesting either a pre-motion conference regarding their anticipated motion for conditional certification under the FLSA or, alternatively, the setting of a motion schedule.

The parties entered into a stipulation extending Defendants' time to answer or otherwise respond to the Complaint until February 13, 2017, which adjournment was granted by the Court (Dkt. #10). This extension was requested by Defendants for the express purpose of having sufficient time to investigate the numerous claims made in the Complaint before responding to it. Defendants' have not at this time completed their review of the relevant facts. Upon completion of Defendants' review, there may be a determination that one or more claims are subject to dismissal.

In light of this, any motion for conditional certification prior to Defendants' filing of its response to the Complaint would be premature, and would be prejudicial to Defendants who have not yet had the opportunity to fully investigate the claims alleged in the Complaint. As such, Defendants' respectfully request that Your Honor deny Plaintiffs' requests for a pre-motion conference or a briefing schedule at this time, and that these be set, if appropriate, following Defendants' Answer or other response with respect to the Complaint.

DUANE MORRIS LLP

1540 BROADWAY NEW YORK, NY 10036-4086

PHONE: +1 212 692 1000 FAX: +1 212 692 1020

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Very truly yours,



Eve I. Klein

Cc: Honorable James Orenstein, United States Magistrate Judge
Tanvir H. Rahman, Esq. (via ECF)